IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO: 3:06CV178

RHONDA C. DAVIS,)	
Plaintiff,)	
)	
VS.)	ORDER
)	<u></u>
TRANS UNION, LLC and STERLING)	
and KING, INC.,		
Defendants.)	
)	

THIS MATTER IS BEFORE THE COURT on "Defendant Sterling and King, Inc.'s Motion to Set Aside Entry of Default and Motion to Dismiss..." and "Memorandum of Law in Support..." (Document Nos. 13 and 14) filed August 1, 2006; and the "Motion for Extension of Time..." (Document No 17) filed August 15, 2006, by the Plaintiff, Rhonda Davis.

The motions have been referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A), and they are ripe for disposition. Counsel for the Plaintiff has indicated to chambers' staff that the Plaintiff consents to the Defendant's Motion to Set Aside Entry of Default, but will oppose the Defendant's motion to dismiss. Accordingly, the Plaintiff has requested additional time to respond to the Defendant's motion. Defendants do not oppose the Plaintiff's request for additional time to respond. Having considered the parties' pleadings and the record, for good cause shown, the undersigned will grant the Defendant's motion to set aside entry of default and the Plaintiff's motion for additional time to respond to the Defendant's motion to dismiss.

IT IS, THEREFORE, ORDERED that "Defendant Sterling and King, Inc.'s Motion to Set Aside Entry of Default and Motion to Dismiss..." (Document No. 13), is **GRANTED IN PART**. The clerk is directed to **SET ASIDE** the entry of default (Document No. 10) entered on June 21,

2006, against Defendant Sterling and King, Inc. The Court defers ruling on the Defendant's "Motion to Dismiss" (Document No. 13) at this time.

IT IS FURTHER ORDERED that the "Motion for Extension of Time for Plaintiff to Respond to Defendant Sterling and King, Inc's Motion ..." (Document No 17) filed August 15, 2006, by the Plaintiff, Rhonda Davis is **GRANTED**. The Plaintiff is granted up to and including **September 1, 2006**, in which to file a response to the Defendant's motion.

Signed: August 16, 2006

David C. Keesler United States Magistrate Judge